

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, April 18, 2007, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Weideman.

3. ROLL CALL

Present: Commissioners Browning, Busch, Horwich, Uchima, Weideman and Chairperson Faulk.

Absent: Commissioner Gibson (excused).

Also Present: Planning Manager Lodan, Planning Assistant Graham, Fire Marshal Kazandjian, Associate Civil Engineer Symons, Plans Examiner Noh and Deputy City Attorney Whitham.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported on the posting of the agenda.

5. APPROVAL OF MINUTES – March 7 and March 21, 2007

MOTION: Commissioner Horwich moved for the approval of the March 7, 2007 Planning Commission minutes as submitted. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote, with Commissioner Uchima abstaining.

MOTION: Commissioner Busch moved for the approval of the March 21, 2007 Planning Commission minutes as submitted. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

6. REQUESTS FOR POSTPONEMENT – None.

7. ORAL COMMUNICATIONS FROM THE PUBLIC #1 – None.

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Chairperson Faulk reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

8. TIME EXTENSIONS

8A. MIS07-00076: WITHEE MALCOLM ARCHITECTS (HAWTHORNE NEWTON LLC)

Planning Commission consideration for approval of a one-year time extension of a previously approved Tentative Tract Map (TTM060560) for condominium purposes and to create two parcels on property located in the Hillside Overlay District in the H-WT Zone at 24510 Hawthorne Boulevard.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Dan Withee, representing Hawthorne Newton LLC, explained that the time extension was necessary because soil remediation had taken longer than expected and the applicant had not been aware that a Human Health Risk Assessment was required. He noted that the risk assessment was submitted on March 23 and the final test results were submitted on March 30, and expressed confidence that a "No Further Action" letter would be issued because contaminants were well below acceptable levels.

MOTION: Commissioner Horwich moved for the approval of MIS07-00076. The motion was seconded by Commissioner Uchima and passed by unanimous roll call, with Commissioner Weideman abstaining (absent Commissioner Gibson).

Commissioner Weideman explained that he abstained from voting on this matter because his attempts to review previous proceedings involving this project were unsuccessful, therefore, he was unable to make an informed decision.

Commissioner Browning voiced concerns about the time it has taken to remediate the site and about the adequacy of the clean-up. Noting that he was not on the Commission in May 2004 when the project was originally approved, he expressed reservations about approving a time extension without knowing what impact the project would have on traffic and whether this type of development was still appropriate for the area in 2007. He asked to withdraw his vote in favor of the extension.

Deputy City Attorney Whitham clarified that it was not within the Commission's purview to review the project at this time and that tonight's action was limited to whether or not to grant a one-year extension for the Tentative Tract Map.

Fire Marshal Kazandjian reported that the Fire Department was currently reviewing the Human Health Risk Assessment; that confirmation borings would be conducted in the next few weeks; and that after results are received, the No Further Action letter would be issued.

Commissioner Busch noted that he also was not on the Commission when the project was approved, but voted to support the one-year time extension because while he had some concerns about it, the project itself was not under consideration. He indicated, however, that he would not be in favor of another extension. He asked if the

Commission could receive a copy of the final report from the Fire Department, and Fire Marshal Kazandjian agreed to provide it.

MOTION: Commissioner Horwich moved to reconsider the vote on MIS07-00076. The motion was seconded by Commission Weideman and passed by unanimous roll call vote (absent Commissioner Gibson).

MOTION: Commissioner Horwich moved for the approval of MIS07-00076. The motion was seconded by Commissioner Uchima and passed by a 4-1 roll call, with Commissioner Browning dissenting and Commissioner Weideman abstaining (absent Commissioner Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 07-047.

MOTION: Commissioner Horwich moved for the adoption of Planning Commission Resolution No. 07-047. The motion was seconded by Chairperson Faulk and passed by a 4-1 roll call, with Commissioner Browning dissenting and Commissioner Weideman abstaining (absent Commissioner Gibson).

9. CONTINUED HEARINGS

9A. PCR06-00006: JAMES AND CHRISTINE BOLINAS (OLIVEIRA DESIGN)

Planning Commission consideration for approval of a Planning Commission Review to allow the construction of a second dwelling unit over a detached garage resulting in a floor area ratio above 0.5 on property located in the R-2 Zone at 1808 Gramercy Avenue.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Christine Bolinas, 1808 Gramercy Avenue, voiced her agreement with the recommended conditions of approval and thanked staff for their assistance with the redesign. She reported that revisions were made so that the design was more in character with other structures in the neighborhood and to comply with required side yard setbacks. She questioned whether the curb cut could be retained, since the permit for it has been rescinded.

Planning Manager Lodan advised that staff was recommending approval of the curb cut because it was constructed in good faith after a permit was issued, but the ultimate decision was up to the Commission.

Commissioner Browning suggested that the recreation vehicle parked on the driveway be moved further back to allow for Fire Department access in the event of an emergency, and James Bolinas indicated that it was his intention to do so.

MOTION: Commissioner Uchima moved to close the public hearing. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

Commissioner Browning related his understanding that this curb cut is the only one on this side of the block. Ms. Bolinas reported that there is a curb cut next door.

Voicing support for the project, Commissioner Uchima commented positively on its design and stated that he believed it would be unfair to rescind approval of the curb cut after it has already been constructed.

Commissioner Browning indicated that he also would be supporting the project.

MOTION: Commissioner Uchima moved for the approval of PCR06-00006, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Busch and passed by a 5-1 roll call, with Commissioner Weideman dissenting (absent Commissioner Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 06-136.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 06-136. The motion was seconded by Commissioner Horwich and passed by a 5-1 roll call, with Commissioner Weideman dissenting (absent Commissioner Gibson).

Chairperson Faulk stated that he was pleased that the plans had been revised to make the front of the existing house more compatible with the houses on either side, which are historical structures.

10. **WAIVERS** – None.

11. **FORMAL HEARINGS**

11A. **CUP07-00002: PRE INVESTMENTS, INC. (CHUNG AND KYU GOH)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction and operation of an automatic carwash and retail commercial center, with 2,285 square feet of restaurant space, on property located in the M-2 Zone at 20501 Western Avenue.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Jess Mullen-Carey, representing the applicant, voiced his agreement with the recommended conditions of approval, with the exception of Condition No. 12, which requires the height of the carwash to be reduced to 20 feet at the highest point. He explained that the height of the majority of the project has already been reduced and they would like to retain the 24'5" eastern wall along Western Avenue to add more

character to the center. He briefly described the proposed project, which includes retail space, a sit-down restaurant, a small market, office space, and an automatic carwash.

In response to Commissioner Busch's inquiry, Mr. Mullen-Carey agreed to the hours of operation for the carwash recommended by staff - from 7:00 a.m. to 8:00 p.m.; indicated that the applicant was amenable to a condition prohibiting construction on Sundays; and confirmed that a good portion of the water from the carwash would be recycled.

Commissioner Browning asked about staff's position on Condition No. 12, and Planning Manager Lodan advised that staff would accept the height as proposed if the developers feel this is an important design element.

In response to Commissioner Browning's inquiry, Planning Manager Lodan provided clarification regarding Condition No. 17, which requires the applicant to install "No stopping at any time" signs on 205th Street.

Robert Omid, owner of Bubble Bath Carwash, 1831 W. 213th Street, voiced objections to the carwash because it would cause him to lose business.

In response to Commissioner Weideman's inquiry, Mr. Omid reported that he operates a hand carwash, not automatic.

Commissioner Busch questioned whether the Commission can consider a project's impact on a competing business.

Deputy City Attorney Whitham advised that Commissioners may consider existing land uses and their compatibility with the proposed project when determining whether the project contributes to the orderly development of the City, but may not favor one business over another.

Steve Fechner, president of Surf Management, owner of adjacent property to the south, stated that he is pleased to see this property developed and particularly likes the idea of having another restaurant in the area, but has concerns that people will park in his parking lot after using the automatic carwash to dry off their vehicles. He requested that the applicant be required to build and maintain a proper fence, which would also prevent trucks from using his property as a loading area for the retail space.

Mr. Mullen-Carey reported that plans call for a chain link fence along the property line but the applicant was amenable to a different type fence.

In response to Commissioner Busch's inquiry, Mr. Mullen-Carey indicated that the restaurant has not been identified and confirmed that he was aware that a Conditional Use Permit was required should the restaurant wish to serve alcoholic beverages.

Responding to questions from the Commission, William Beuter, project architect, provided clarification regarding the parking configuration.

Commissioner Busch related his preference that the number of handicapped parking spaces be increased from 5 to 6, which is 10% of the parking.

Commissioner Browning proposed requiring block walls along the southern and western property lines.

Commissioner Uchima expressed concerns about the potential for spillover parking from the carwash onto Mr. Fechner's property.

Mr. Beauter reported that he and Mr. Mullen-Carey consulted with the owners/operators of a carwash at Sepulveda and El Segundo Boulevard that uses the same equipment and designed the layout based on their experience and the manufacturer's recommendations. He noted that the number of vacuum bays exceeds the number recommended by the consultant.

At Chairperson Faulk's request, Mr. Mullen-Carey and Mr. Beauter described the operation of the automatic carwash, noting that the tunnel is over three times the length of a typical carwash attached to a gas station; that the drying mechanism is very effective making it unnecessary to wipe down a vehicle; and that at the end of the tunnel, customers may either go to a vacuum bay or exit the property.

Commissioner Horwich voiced his opinion that parking requirements should be expressed in whole numbers, i.e. 18 spaces for retail instead of 17.8, because there is no such thing as eight-tenths of a parking space.

Mr. Mullen-Carey explained that this way of calculating required parking was consistent with the Code.

Commissioner Browning expressed concerns about on-site circulation, noting that in order to get to the carwash, people will have to maneuver through areas where cars are backing out.

Mr. Mullen-Carey reported that the traffic pattern of the carwash was kept as isolated as possible and noted that layout has been through several revisions based on recommendations from a traffic consultant and Planning staff.

Commissioner Browning questioned whether he had information regarding traffic accidents at the carwash in El Segundo, and Mr. Mullen-Carey indicated that he did not.

Commissioner Busch asked if Planning staff contacted the Police Department's Traffic Division regarding potential traffic problems associated with the project.

Planning Manager Lodan advised that the Traffic Engineering Division reviews projects with regard to traffic issues, including circulation, curb cuts, and interaction with existing land uses.

Commissioner Busch noted that the Police Department can provide a different perspective based on traffic accident history and suggested that staff consider asking for such an assessment on future projects.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Commissioner Uchima stated that while he had no objections to the rest of the project, he had serious reservations about the carwash. He recalled a case involving a fast food operation where the Commission approved a Conditional Use Permit for one year, after which the project was reviewed to ensure that it was not creating a nuisance for adjacent property owners and suggested that this might be an option in this case.

Commissioner Horwich stated that he would support the project despite reservations about the carwash, because this site is an eyesore that needs to be developed. He suggested that if parking becomes an issue, the problem will resolve itself because people will stop patronizing the center.

Referring to Commissioner Uchima's suggestion, Commissioner Busch noted that it was unlikely that a developer would invest millions of dollars in a project with only a one-year approval.

Commissioner Browning indicated that he was inclined to support the project with the added condition requiring six-foot high perimeter block walls.

Commissioner Busch voiced support for the project, pointing out that it will add to the City's tax base and this property has been vacant for many years. He suggested that there could also be the added benefit of conserving water as people utilize the carwash instead of washing their own vehicles. He withdrew his request that handicapped parking be increased from five to six spaces because parking is already deficient and must be reconfigured to provide the Code required parking.

Commissioner Uchima withdrew his earlier suggestion regarding a one-year review, agreeing that it would be an unfair burden on the developer. He indicated that he favored letting market forces control parking, noting that Mr. Fechner can install signage allowing vehicles to be towed if spillover parking becomes a problem.

Commissioner Weideman voiced support for the project, stating that he did not believe it would impact Bubble Bath Carwash because hand-wash and automatic carwashes are quite different.

A brief discussion ensued regarding added conditions, and the public hearing was briefly reopened so the applicant could clarify the proposed maximum height.

MOTION: Commissioner Weideman moved for the approval of CUP07-00002, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Modify

No. 12 ~~That the applicant shall reduce the height of the carwash to 20 feet the carwash shall be a maximum of 24'5" at the highest point.~~

Add

- That the hours of operation for the carwash shall be limited to from 7:00 a.m. to 8:00 p.m.
- That the applicant shall provide a six-foot high, decorative block wall along the southerly and westerly property lines.

The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Gibson).

Commissioner Busch noted that it was the Commission's intention that the carwash be completely shutdown by 8:00 p.m., not that the last car enter by that time.

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 07-048.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution No. 07-048 as amended. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Gibson).

11B. PRE06-00040, WAV06-00025: SCOTT AND RENA VAN DOESELAAR

Planning Commission consideration for approval of a Precise Plan of Development to allow a second-story addition to an existing one-story, single-family residence in conjunction with a Waiver to allow less than the required side yard setback on property located in the Hillside Overlay District in the R-1 Zone at 22630 Draille Drive.

Recommendation

Approval.

Commissioner Browning announced that he was abstaining from consideration of this item and exited the dais.

Planning Assistant Graham introduced the request and noted supplemental material available at the meeting.

Scott Van Doeselaar, 22630 Draille Drive, applicant, voiced his agreement with the recommended conditions of approval with the exception of Condition No. 8, requiring the elimination of the second-story rear balcony. He explained that the balcony is required for the French doors in the master bedroom and it is not intended for use.

With regard to concerns expressed by the neighbor at 22626 Draille Drive, Mr. Van Doeselaar maintained that privacy would not be adversely impacted because the same sight lines into this property already exist and that an existing tree would help preserve privacy. He conceded that the project will cause some additional shadowing of this property and reported that he chose to submit his plans at this time of year recognizing that the impact would be at its worse.

Stuart Peterson, 22626 Draille Drive, voiced objections to the proposed project, stating that it would block the view of blue sky and trees from three south-facing bedrooms; eliminate sunlight that warms these bedrooms, creating the potential for mold and mildew to develop; and intrude on the privacy of his backyard. He related his belief that there were other options for expanding the Van Doeselaars' home that would not have such a drastic impact on his property.

Mr. Van Doeselaar stated that the balcony would not create any view into Mr. Peterson's property that doesn't already exist.

Commissioner Weideman stated that he observed that the project would have a definite impact on light to the Petersons' property and that there also would be an impact on privacy should the balcony be retained.

Commissioner Horwich concurred with Commissioner Weideman's assessment and asked if Mr. Van Doeselaar had any suggestions for mitigating the loss of sunlight.

Mr. Van Doeselaar explained that adding square footage over another area of the house would reduce the shadowing effect but it would significantly impact the views of uphill neighbors and that is why he believed the proposed project was the best solution.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

Commissioner Uchima reported that he observed that the project would significantly block light from a bedroom occupied by one of Mr. Peterson's children and while some of this shadowing is within the shadow cast by a tree, the tree may not always be there, but an addition is permanent. He stated that he did not observe a significant view loss, however, he was concerned about aesthetic aspect of replacing a view of trees and sky with a sheer wall.

Commissioner Busch noted his agreement with Commissioner Uchima's remarks.

Commissioner Horwich suggested a continuance so the applicant could address these concerns, and the hearing was briefly reopened.

Mr. Van Doeselaar expressed his willingness to try to mitigate the impact on Mr. Peterson's property. With regard to the impact on light, he wanted to point out that the shadowing will occur from approximately 10:00 a.m. to 3:00 p.m., which means that once Mr. Peterson's children are old enough to attend school, the affected bedrooms will be unoccupied.

Commissioner Uchima suggested that the applicant take a look at the addition at 5110 Milne Drive.

MOTION: Commissioner Busch moved to continue PRE06-00040 and WAV06-00025 indefinitely. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote, with Commissioner Browning abstaining (absent Commissioner Gibson).

Commissioner Browning returned to the dais.

11C. PRE07-00002: BAKER & OGATA ARCHITECTS (NANCY OGATA & TOM HOFFA)

Planning Commission consideration for approval of a Precise Plan of Development to allow a second-story addition to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 19809 Tomlee Avenue.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Tom Hoffa and Nancy Ogata, 19809 Tomlee Avenue, applicants, voiced their agreement with the recommended conditions of approval.

Chris Ogata, project architect, briefly described the proposed project.

In response to Commissioner Browning's inquiry, Planning Manager Lodan confirmed that adjacent residents in the City of Redondo Beach received notification of this hearing.

MOTION: Commissioner Uchima moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

MOTION: Commissioner Weideman moved for the approval of PRE07-00002, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioner Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 07-051.

MOTION: Commissioner Weideman moved for the adoption of Planning Commission Resolution No. 07-051. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Gibson).

11D. PRE06-00039, WAV06-00022: KANON KOONTZ

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 330 Calle de Arboles.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Kanon Koontz, 330 Calle de Arboles, applicant, voiced his agreement with the recommended conditions of approval. He stated that he tried to mirror the outline of the building below to avoid encroaching on the view of properties above; that it became apparent after the silhouette was erected that there was a view impact at 402 Calle de Arboles; and that he subsequently contacted the owner of the property and modified the project twice to try to address her concerns. He related his understanding that his neighbor still had concerns and offered to reduce the height of the project by another 8-10 inches by reducing the space between floors.

Commissioner Browning voiced objections to the project's floor area ratio (FAR), which at 0.59, is considerably over the 0.5 allowed in the Hillside Overlay District. He indicated that he also had concerns about the Waiver of the required front yard setback because any vehicle parked in the driveway would more than likely extend over the sidewalk and noted that in reviewing the application, he saw nothing to support a finding that denial of the Waiver would constitute an unreasonable hardship.

Mr. Koontz stated that he was under the impression that 0.6 was the FAR limit and noted that the stairwell is double counted so the actual square footage is less. He reported that the property to the east has the same setback for a front-facing garage and that the justification for the Waiver was that he wanted more outdoor space for his children.

Marian De Meire, 402 Calle de Arboles, submitted photographs to illustrate the encroachment on view. She stated that she appreciated Mr. Koontz's efforts to mitigate the project's impact, but when the southerly portion of the addition was shifted, another view was impacted. She estimated that the project would block 20% of the ocean view and she considers any reduction in this view to be significant. She suggested the possibility of reducing the height of the parapet wall, which along with the reduction in the space between floors, would help mitigate the view impact. She expressed concerns about the project's modern design because she did not believe it was compatible with the neighborhood.

In response to Commissioner Weideman's inquiry, Ms. De Meire reported that the photographs submitted were taken from her deck.

Mr. Koontz pointed out that the staff report mentions that a maximum of 3,360 square feet is allowed, which is an FAR of 0.6. Planning Manager Lodan clarified that the underlying R-1 Zone allows a maximum of 0.6 and that projects with FARs between 0.5 and 0.6 must be approved by the Planning Commission and require certain findings to be made.

Responding to Ms. De Meire's comments, Mr. Koontz stated that he recognized that shifting the addition would affect another view, but Ms. De Meire had indicated that she was willing to make that concession. He explained that the project was designed with a flat roof and modern architecture to lessen the impact on views and submitted photographs of three homes in the vicinity with similar architecture.

MOTION: Commissioner Horwich moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

Commissioner Uchima commended the applicant for making a good faith effort to address Ms. De Meire's concerns and indicated that he would support the project, with a reduction in the space between floors and the height of the parapet.

Commissioner Browning stated that he would not support the project because the FAR was well over what he would consider acceptable and he was concerned about setting a precedent. He noted that Hillside Ordinance was enacted not just to protect views, but also to address the mass of a building. He reiterated his concern about the length of the driveway.

Commissioner Busch stated that he did not believe that a finding of hardship was justified, therefore, he could not support the project.

Commissioner Weideman noted his objections to the Waiver, as well as the FAR of 0.59, and indicated that he also would not support the project. He stated that he recognizes that this Commission is not an art jury, so he would refrain from commenting on the project's architecture.

MOTION: Commissioner Browning moved to deny PRE06-00039 and WAV06-00022 without prejudice. The motion was seconded by Commissioner Busch and passed by a 4-2 roll call vote, with Commissioner Uchima and Chairperson Faulk dissenting (absent Commissioner Gibson).

Planning Manager Lodan noted that resolutions reflecting the Commission's action would be brought back for approval.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

15. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

16. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the May 2, 2007 Planning Commission meeting.

17. **ORAL COMMUNICATIONS**

17A. Commissioner Busch noted two upcoming events – the Mayor's State of the City address and the Medal of Valor Awards.

Planning Manager Lodan offered to have staff make arrangements for Commissioners who are interested in attending these events.

18. **ADJOURNMENT**

At 9:55 p.m., the meeting was adjourned to Wednesday, May 2, 2007, at 7:00 p.m.

Approved as Amended May 16, 2007 s/ Sue Herbers, City Clerk
